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Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The environmental, ecological, health and other impacts of the 30-year period of nuclear testing in French Polynesia

Report of the Secretary-General

Summary

The present report has been prepared pursuant to paragraph 5 of General Assembly resolution 68/93, entitled "Question of French Polynesia", in which the Assembly requested the Secretary-General, in cooperation with relevant specialized agencies of the United Nations, to compile a report on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in the Territory.

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1. On 17 May 2013, the General Assembly adopted resolution 67/265, entitled "Self-determination of French Polynesia", in which it affirmed the inalienable right of the people of French Polynesia to self-determination and independence in accordance with Chapter XI of the Charter and Assembly resolution 1514 (XV), recognized that French Polynesia remained a Non-Self-Governing Territory within the meaning of the Charter and declared that an obligation existed under Article 73 *e* of the Charter on the part of the Government of France, as the administering Power of the Territory, to transmit information on French Polynesia.

2. In paragraph 5 of its resolution 68/93, the General Assembly requested the Secretary-General, in cooperation with relevant specialized agencies of the United Nations, to compile a report on the environmental, ecological, health and other impacts of the 30-year period of nuclear testing in the Territory.

3. In a letter dated 11 April 2014, the Secretary-General brought the resolution to the attention of the executive heads of the following specialized agencies and other international organizations and invited them to submit the information requested, for inclusion in the report referred to in paragraph 2 above:

Comprehensive Nuclear-Test-Ban Treaty Organization

Economic and Social Commission for Asia and the Pacific

Food and Agriculture Organization of the United Nations

International Atomic Energy Agency

International Court of Justice

International Maritime Organization

Office of the United Nations High Commissioner for Human Rights

United Nations Human Settlements Programme (UN-Habitat)

United Nations Children's Fund

United Nations Development Programme

United Nations Educational, Scientific and Cultural Organization

United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)

United Nations Environment Programme

United Nations Industrial Development Organization

United Nations Institute for Disarmament Research

United Nations Population Fund

United Nations Scientific Committee on the Effects of Atomic Radiation

United Nations University

United Nations World Tourism Organization

World Food Programme

World Health Organization

World Meteorological Organization

4. Responses were received from eight United Nations entities. The Food and Agriculture Organization of the United Nations, the International Court of Justice, the United Nations Industrial Development Organization, the United Nations Population Fund, the World Food Programme and the World Meteorological Organization indicated that they did not have any information to provide on the issue. Information submitted by the International Atomic Energy Agency and the Office of the United Nations High Commissioner for Human Rights is set out below.

International Atomic Energy Agency

5. In April 1996, following a request from the Government of France, the International Atomic Energy Agency (IAEA) embarked on a study of the radiological situation at the atolls of Mururoa and Fangataufa, in French Polynesia.[1] The study was designed to assess the residual radiological conditions at the atolls after the end of all of the weapon testing. The study focused on the radiological situation at that time and the potential long-term radiological situation. The study concluded that:

(a) The radiation doses received after the end of the tests by populations in the South Pacific region, as a result of the residual radioactive materials remaining in Mururoa and Fangataufa, were negligible fractions of natural background levels and would continue to be so in the long term;

(b) Based on the measured and predicted radionuclide activity levels, as well as the low dose levels estimated for the present and the future, no remedial actions at the Mururoa and Fangataufa Atolls were needed on radiological protection grounds, either now or in the future.

6. Based on the assessment of radiation doses after the end of the tests, it was concluded that there would be no radiation health effects which could be either medically diagnosed in an individual or epidemiologically discerned in a group of people that would be attributable to the estimated radiation doses that were being received at the time of the study in 1998, or that would be received beyond this time by people as a result of the residual radioactive material at the Mururoa and Fangataufa Atolls. The study emphasized that, at the very low levels of doses estimated in the study, there would be no changes in cancer incidence rates in the region attributable to radiation exposure caused by the residual radioactive material at the Mururoa and Fangataufa Atolls.

7. During the investigation performed after the end of the tests, radiation dose rates to the native biota resulting from the residual radioactive material at the Mururoa and Fangataufa Atolls were assessed. In the great majority of cases, dose rates to the biota were found to be similar to, or lower than, dose rates from natural radiation sources. Overall, the study concluded that the expected radiation dose rates and modes of exposure were such that no effects on biotic population groups could arise.

8. France carried out 41 atmospheric and 137 underground nuclear tests in French Polynesia. The radiation doses received after the end of the tests and still to be received by populations in the South Pacific region, as a result of the residual

[1] International Atomic Energy Agency, *The Radiological Situation at the Atolls of Mururoa and Fangataufa: Main Report* (Vienna, 1998).

radioactive materials remaining in Mururoa and Fangataufa, are negligible fractions of natural background levels. Radiological impacts on the biota arising from residual radioactivity will not cause effects on biotic populations.

Office of the United Nations High Commissioner for Human Rights

9. According to information submitted by the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes noted in a report to the Human Rights Council (A/HRC/21/48/Add.1, para. 9) that people in territories where countries conducted nuclear testing programmes, including in French Polynesia, were affected by nuclear testing programmes. The Special Rapporteur also referred to a report of the United Nations Scientific Committee on the Effects of Atomic Radiation,[2] which found that the testing of nuclear weapons in the atmosphere involved unrestrained releases of radioactive materials to the environment locally, regionally or globally (depending on the altitude of the explosion), causing the largest collective dose thus far from man-made sources of radiation.

10. With regard to the right to health, the Special Rapporteur stressed that radiation doses are not frequently encountered in everyday life, although people may be exposed to natural "background" radiation from the air, land, sea, foodstuffs and the human body itself, as well as from various beneficial practices, such as radiological medicine. Referring to a public information document by IAEA entitled "Nuclear Tests in French Polynesia: Could Hazards Arise?",[3] the Special Rapporteur assumed that any increase in a dose of radiation, however minute, would result in a proportionate increase in the risk of cancer (A/HRC/21/48/Add.1, para. 20). Furthermore, the Special Rapporteur stated that human beings were exposed to radiation from the release of radioactive elements or radionuclides, generally through:

(a) Rain washing hazardous radioactive materials out of the air in the form of acid rain;

(b) Direct external exposure to a nuclear explosion cloud;

(c) Direct external exposure to hazardous radioactive materials in the ground;

(d) Internal exposure from eating, drinking or inhaling hazardous radioactive materials in food, water or air;

(e) Internal and/or external exposure from contact with contaminated water (A/HRC/21/48/Add.1, para. 21).

11. In the context of the first cycle of the universal periodic review of France, in 2008, one question raised in the Working Group was whether measures were being envisaged to prevent or reduce the consequences of nuclear tests for the population living in overseas territories (A/HRC/8/47, para. 13). During the second cycle of the

[2] United Nations Scientific Committee on the Effects of Atomic Radiation, *Report on the Effects of Atomic Radiation to the General Assembly*, Annex C, paras. 6 and 18 (see www.unscear.org/docs/reports/annexc.pdf).

[3] See www.iaea.org/Publications/Booklets/mururoabook.html; for the International Advisory Committee's main report, see footnote 1.

universal periodic review of France, in 2013, one stakeholder recalled that, 17 years after the last French nuclear test was held in the Pacific, Maohi islanders were still living with the legacy of hundreds of nuclear tests (A/HRC/WG.6/15/FRA/3, para. 74). More information on these issues can be found in the referenced, and related, documents.

12. In its general comment No. 14 on the right to the highest attainable standard of health, the Committee on Economic, Social and Cultural Rights stressed that States should refrain from using or testing nuclear weapons if such testing results in the release of substances harmful to human health (E/C.12/2000/4, para. 34). Furthermore, monitoring the health of people for adverse effects of radiation and providing timely health care are an important aspect of the fulfilment of the right to health, as highlighted by the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health in his report on the aftermath of a nuclear disaster (A/HRC/23/41/Add.3, para. 13). In addition, transparency and accountability in governance, access to remedies and participation of the affected population in decision-making processes are necessary to the enjoyment of the right to health (ibid. and E/C.12/2000/4, paras. 11, 55 and 59).

13. The Human Rights Committee, in its general comment No. 14 on the right to life, stated that it was evident that the designing, testing, manufacture, possession and deployment of nuclear weapons were among the greatest threats to the right to life which confront mankind today. Furthermore, the Human Rights Committee recommended that the production, testing, possession, deployment and use of nuclear weapons be prohibited and recognized as crimes against humanity (A/40/40, annex VI, paras. 4 and 6).